MIGRATORY LANDBIRD CONSERVATION REPORT

SUNNY SOUTH INSECT TREATMENT PROJECT

AMERICAN RIVER RANGER DISTRICT
TAHOE NATIONAL FOREST

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06/24/2016

1.0 Regulatory Guidance

Under the National Forest Management Act (NFMA), the Forest Service is directed to "provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives" (P.L. 94-588, Sec. 6 (g) (3) (B)). The January 2000 USDA Forest Service (FS) Landbird Conservation Strategic Plan, as well as Executive Order 13186 in 2001, and habitat-specific Partners in Flight (PIF) Conservation Plans for birds and the January 2004 Partners in Flight (PIF) North American Landbird Conservation Plan provide goals and objectives for integrating bird conservation into forest management and planning.

In late 2008, a *Memorandum of Understanding between the USDA Forest Service and the USDI Fish and Wildlife Service to Promote the Conservation of Migratory Birds* was signed. The intent of the MOU is to strengthen migratory bird conservation through enhanced collaboration and cooperation between the Forest Service and the Fish and Wildlife Service (USFWS) as well as other federal, state, tribal and local governments. Within the National Forests, conservation of migratory birds focuses on providing a diversity of habitat conditions at multiple spatial scales and ensuring that bird conservation is addressed when planning for land management activities.

To facilitate a regional approach to bird conservation, regional geographic units called Bird Conservation Regions (BCRs) were developed under the North America Bird Conservation Initiative (http://www.nabci-us.org/bcrs.html). BCRs encompass landscapes with similar bird communities, habitats, and resource issues. In *Birds of Conservation Concern 2008*, BCR-specific Birds of Conservation Concern (BCC) were identified by the USFWS (2008) that are in greatest need of conservation action and proactive management to prevent the need to list them as endangered or threatened. A BCC may be present in a BCR but not included in that BCR's list because its population numbers are not a concern in that region. The ARRD is located within the Sierra Nevada BCR.

In addition, Audubon California (2009) has identified 145 important bird areas (IBA) in the state. The IBA nearest to the project area (described in section 3.0 below) is the Sierra Meadows (Northern) IBA, a collection of meadows in the greater Truckee, California area.

The Tahoe National Forest is proposing to manage approximately 2,800 acres on the American River Ranger District following management direction contained within the Tahoe National Forest Land and Resource Management Plan (Forest Plan, USFS 1990, as amended). Opportunities to promote conservation of migratory birds and their habitats in the project area were considered during development and design of the Sunny South Project.

2.0 Proposed Action

- The proposed action includes about 2,800 acres of treatments including: thinning of at-risk stands, mastication, prescribed burning, soil decompaction of non-system routes, commercial removal of dead and dying trees, and reforestation on NFS lands. The project includes two main project areas consisting of Sugar Pine Reservoir and Big Oak Flat.
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3.0 Project Objectives and Design Features for Migratory Landbirds

The following wildlife management requirements are included in the Sunny South Project that would benefit Birds of Conservation Concern:

- A limited operating period (LOP) from March 1 to August 15 will apply to disturbing mechanical activities in suitable spotted owl habitat (i.e. all treatment areas) with unknown occupancy until protocol surveys are completed.
- In California spotted owl Protected Activity Centers (PACs), LOPs will be maintained annually prohibiting mechanical treatments within approximately ¼-mile of the activity center during the breeding season (March 1 to August 15) unless surveys confirm that California spotted owls are not nesting.
- A LOP from February 15 to September 15 will apply to disturbing mechanical activities in suitable northern goshawk habitats (i.e. all treatment areas) with unknown occupancy until protocol surveys are completed.
- In northern goshawk PACs, LOPs will be maintained annually prohibiting vegetation treatments within approximately ¼-mile of the nest site during the breeding season (February 15 to September 15) unless surveys confirm that northern goshawks are not nesting.
- Implementation of stand thinning, mastication, piling, burning, or road maintenance will not occur in suitable habitat for spotted owls or northern goshawks with unknown occupancy until protocol surveys are completed. If spotted owls or northern goshawks are detected outside of designated PACs, protected territories would be established and managed according to the Forest Plan.
- Retain riparian vegetation and hardwoods, such as oaks, madrone, alder, willow, and cottonwood. Some riparian and hardwood vegetation may be removed for operability or safety. Reduce competing conifer trees under 30 inches dbh, where possible. Where possible, create openings around hardwoods to stimulate natural regeneration.
- Where feasible and where it occurs in a stand, retain uncommon shrub species such as elderberry, redberry, coffeeberry, dogwood, and Sierra plum. Retain common shrub species in patches where it would not compromise fuels management goals.
- Retain four of the largest snags per acre larger than 15 inches dbh following Forest Plan management direction. Snag numbers can be averaged over 10 acres.
- Unless large down woody debris exceeds 10 tons per acre, retain down large woody at a rate of 5 of the largest downed logs per acre. Preference is for large cull logs 20 inches or more in diameter and more than 40 cubic feet in volume. Avoid ignition of large woody debris in units slated for underburning. Avoid existing large woody debris and leave additional coarse wood on the ground (i.e. not grind it into the ground) in mastication areas.

- Vegetation management, with the exception of prescribed fire (burn piles are not included in this exception) and hazard tree removal would not occur within 300 feet of suitable habitat for California red-legged frog, northwestern pond turtle, and foothill yellow-legged frog (i.e. intermittent or perennial streams, ponds, springs, and seeps) during the wet season (defined as starting with the first frontal rain system that deposits a minimum of 0.25 inches of rain after October 15 and ending April 15).
- All proposed activities, with the exception of hazard tree removal and prescribed fire (burn piles are not included in this exception) would not occur within the riparian buffer zone (100 feet for perennial, 50 feet for intermittent and 25 feet for ephemeral streams).
- Incidental detections of federally-listed and sensitive species prior to or during project implementation will be reported to the District Wildlife Biologist for protection in accordance with management direction for the Tahoe National Forest.

4.0 Forest-wide Protections

In addition, management direction from the Tahoe Forest Plan contributes to migratory bird conservation. Key forest-wide protections applicable to migratory birds and their habitats include the following

- Manage for viable populations of all fish and wildlife.
- Old-growth values shall be considered in designing the dispersion of old growth, which may range from areas of old-growth lands for wildlife habitat (e.g., spotted owls and furbearers) to areas designated for public visitation (special interest areas).
- Consider the following actions that benefit wildlife: 1) leave all snags and down logs in riparian areas where consistent with safety and fishery needs; 2) leave all soft snags where possible, as long as safety needs are met; 3) Save live culls for future snags where consistent with stand management objectives; 4) in firewood areas, designate snags in inaccessible terrain; and 5) in snag deficient areas, cut only hazardous snags.
- Retain snags and down woody material on an individual project basis for wildlife.
- Manage hardwood stands to provide desirable wildlife habitat.
- Improve the habitat capability for riparian and meadow-associated wildlife.
- Minimize old forest habitat fragmentation and manage for forested linkages and connectivity of old forest habitats for associated species.

5.0 Project Impacts to Migratory Landbirds

Likely impacts to habitats and select migratory bird populations resulting from the proposed Sunny South Project have been assessed in the project Management Indicator Species (MIS) Report and impacts to select TES bird species and their habitats have been analyzed in the project Biological Evaluation and Biological Assessment; these impacts are summarized below.

Impacts to migratory landbirds are expected to vary across the analysis area because the effects of past, present, and reasonably foreseeable future actions vary spatially. The effects of past, present, and future of one part of the analysis area may be quite different from those for another. Due to the complexity of these spatial variations and because each species responds differently to its environment, the direction, magnitude, and duration of impacts to migratory landbirds are also expected to vary. Despite this inherent variability, project management requirements, forest-wide protections, and project design are expected to moderate these impacts to the benefit of migratory landbirds.

For example, in California spotted owl and northern goshawk protected activity centers (PACs), implementation of limited operating periods would reduce the potential for disturbance-related impacts to migratory landbirds during the breeding season and minimum canopy closure retention standards would maintain dense forest habitats for mid to late seral adapted migratory landbirds. Species adapted to more open tree and shrub canopy closures would benefit from planned thinning and prescribed burning activities in other areas. Species adapted to burned areas will benefit from prescribed fire. Limitations on the timing (e.g. during the wet season) and types of activities (e.g. proximity of mechanical equipment to perennial and intermittent streams) permitted within Riparian Conservation Areas (RCAs) would be expected generally to benefit migratory landbirds in these sensitive and productive areas. In short, treatments would not all occur concurrently or result in uniform habitat conditions, and would thus provide spatial, temporal, and conditional diversity to provide for a variety of species over time.

Effects would vary across the analysis area, and are described by habitat type and associated species in the Sunny South Project Management Indicator Species (MIS) Report. The MIS report determined that the project would affect the following habitat types: riverine/lacustrine, oak-associated hardwood & hardwood/conifer, early and mid-seral coniferous forest, late seral open canopy coniferous forest, late seral closed canopy coniferous forest, and snags in green forest. Effects are not expected within sagebrush, shrubland, riparian, or wet meadow habitats.

For most of these habitat types, there would be some form of disturbance and change in the condition, but there would be very little net loss or gain of habitat type. When the project areas are considered in the context of the surrounding projects and habitat types, the proposed action is not expected to alter the existing trend in these habitats or lead to a change in the distribution of identified MIS (i.e. aquatic macroinvertebrates, mule deer, mountain quail, hairy woodpecker, sooty grouse, spotted owl, marten, flying squirrel) across the Sierra Nevada bioregion. The proposed action would result in generally more open stands after treatment, particularly in the understory. Snags and logs would be reduced but still occur in reasonable densities where they currently occur. Oaks would benefit from conifer thinning where they occur nearby and small openings where dense bugkill occurs would provide more herbaceous and shrub habitat over time. Because the conifer stands are generally overstocked as a result of fire suppression and dense reforestation, thinning is expected to improve the resilience of the stands to various stressors, including fire, and increase the likelihood of these stands surviving and developing structural complexity and species diversity.

Effects to migratory landbirds are expected to include disturbance such as flushing birds near operating equipment during project implementation and habitat effects from thinning and other treatments and the continued development of stands over time. The location and timing of project treatments combined with past, present, and reasonably foreseeable future actions would have an effect on the extent and consequences to birds. Short term disturbance-related impacts to migratory landbirds are expected, though impacts would be reduced by project management requirements such as limited operating periods, habitat protection, and project design. Much of the mid-seral plantations that would be treated provide limited diversity and associated bird and wildlife abundance, whereas mature habitat in streamcourses and spotted owl and goshawk PACs would not be affected.

Long term, beneficial, effects are expected to result from project implementation because forested stands would continue to develop, sensitive, uncommon habitats such as riparian would receive special protection, and common, rapid-growing habitats such as herbaceous and shrub habitats would recover somewhat and would remain common in the surrounding landscape. The more open stands would benefit remaining trees, hardwoods, and other species with more light, water, and space to grow and increase the stand resilience, a real concern after an extended drought, substantial tree mortality from insects, the risk of wildfire, and ongoing climate change.

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